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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

| | |
|------------------------|-------------------|
| Application Number | 09/835,119 |
| Filing Date | 04/13/2001 |
| First Named Inventor | R. Kaddurah-Daouk |
| Group Art Unit | |
| Examiner Name | |
| Attorney Docket Number | |

Total Number of Pages in This Submission **55**

ENCLOSURES (check all that apply)

- ☒ Fee Transmittal Form
- ☒ Fee Attached
- ☐ Amendment / Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):
Third Party Submission In A Published Patent Application
Self-Addressed Postcard Requesting Acknowledgment Of Receipt

Remarks

Deposited With The United States Postal Service On July 15, 2003, With Sufficeint Postage As Express Mail No. EV 291443735 US In An Envelope Addressed To Commissioner For Patents, PO Box 1450, Alexandria VA, 2213-1450

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name
Eugene LeDonne
Registration No. 35,930
ReedSmith, LLP

Signature

Date

07/15/2003

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

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Date

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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 310.00

Complete if Known

| | |
|----------------------|-------------------|
| Application Number | 09/835,119 |
| Filing Date | 04/13/2001 |
| First Named Inventor | R. Kaddurah-Daouk |
| Examiner Name | |
| Art Unit | |
| Attorney Docket No. | |

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

50-1529

REED SMITH LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|------------------------|------------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1001 | 750 | 2001 | 375 | Utility filing fee | |
| 1002 | 330 | 2002 | 165 | Design filing fee | |
| 1003 | 520 | 2003 | 260 | Plant filing fee | |
| 1004 | 750 | 2004 | 375 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | | | (\$) 0.00 |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| | | Extra Claims | | Fee from below | | Fee Paid |
|--------------------|--|--------------|--|----------------|--|----------|
| Total Claims | | -20** = | | X | | |
| Independent Claims | | -3** = | | X | | |
| Multiple Dependent | | | | | | =0.00 |

| Large Entity | | Small Entity | | Fee Description |
|--------------|----------|--------------|----------|--|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | |
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 |
| 1201 | 84 | 2201 | 42 | Independent claims in excess of 3 |
| 1203 | 280 | 2203 | 140 | Multiple dependent claim, if not paid |
| 1204 | 84 | 2204 | 42 | ** Reissue independent claims over original patent |
| 1205 | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2)

(\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|---|----------|----------|----------|--|----------|
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 410 | 2252 | 205 | Extension for reply within second month | |
| 1253 | 930 | 2253 | 465 | Extension for reply within third month | |
| 1254 | 1,450 | 2254 | 725 | Extension for reply within fourth month | |
| 1255 | 1,970 | 2255 | 985 | Extension for reply within fifth month | |
| 1401 | 320 | 2401 | 160 | Notice of Appeal | |
| 1402 | 320 | 2402 | 160 | Filing a brief in support of an appeal | |
| 1403 | 280 | 2403 | 140 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,300 | 2453 | 650 | Petition to revive - unintentional | |
| 1501 | 1,300 | 2501 | 650 | Utility issue fee (or reissue) | |
| 1502 | 470 | 2502 | 235 | Design issue fee | |
| 1503 | 630 | 2503 | 315 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | 180 |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 750 | 2809 | 375 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 | 750 | 2810 | 375 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 | 750 | 2801 | 375 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |
| Other fee (specify) Fees Required By 37 CFR 1.17(i) | | | | | 130 |

Other fee (specify)

Fees Required By 37 CFR 1.17(i)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 310.00

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)

Eugene LeDonne, Esq.

Registration No.
(Attorney/Agent)

35,930

Telephone 212-521-5400

Signature

Date

July 15, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, Washington, DC 20231.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

**R. Kaddurah-Daouk and B.
Kristal**

Serial No.: 09/835,119

Filed: April 13, 2001

Art Unit: Unknown

Examiner: Unknown

**METHODS FOR DRUG DISCOVERY,
DISEASE TREATMENT, AND
DIAGNOSIS USING METABOLOMICS**

THIRD PARTY SUBMISSION IN A PUBLISHED PATENT APPLICATION

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.99, the undersigned hereby submits a previously issued PCT patent publication and an issued US patent which are believed to be relevant to the subject pending US patent application which was published on May 6, 2003 as US 2002/0009740. For the reasons presented below, the subject submission is considered to be in full compliance with the requirements of Paragraphs (a)-(f) of 37 CFR 1.99.

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being

EXPRESS MAIL NO. EV 291443735 US

FACSIMILE

☐ transmitted by facsimile on [date] to the U.S. Patent and Trademark Office.

☒ Deposited with the United States Postal Service On July 15, 2003 with sufficient postage as Express Mail No. EV 291443735 US in an envelope addressed to, Commissioner for Patents, PO Box 1450, Alexandria VA, 22313-1450.

Ruth Montalvo

(Signature of person mailing paper or fee)

Type Signature Name

(Signature of person mailing paper or fee)

07/18/2003 GGBREGI 00000027 09835119

01 FC:1806
02 FC:1460

180.00 OP
130.00 OP

(I) 37 CFR 1.99(a)

This is a submission of a PCT Patent Publication No. WO99/50347 and US Patent No. 6,558,955 which are considered to be relevant to the subject pending patent application. The submission is considered to be in full compliance with the requirements of 37 CFR 1.99.

(II) 37 CFR 1.99(b)

The fee set forth in 37 CFR 1.17(p) is enclosed with this submission. A copy of PCT Patent Publication No. WO99/50347 and US Patent No. 6,558,955, which are the subject of this submission, are respectively attached hereto as Exhibits A and B.

(III) 37 CFR 1.99(c)

This submission was served on applicant's counsel of record on even date herewith in accordance with 37 CFR 1.248. A Proof of Service is attached hereto as Exhibit C.

(IV) 37 CFR 1.99(d)

This submission does not include any explanation of either PCT Patent Publication No. WO99/50347 or US Patent No. 6,558,955. Moreover, this submission is limited to two items.

(V) 37 CFR 1.99(e)

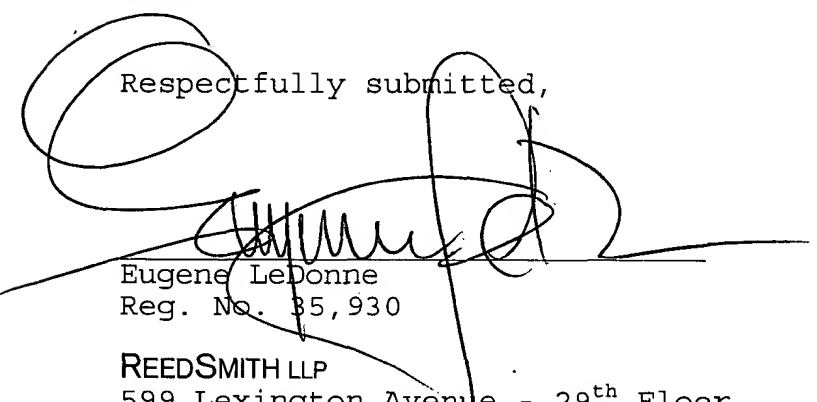
This submission has not been filed within two months from the date of publication of the subject patent application or prior to the mailing of the notice of allowance, whichever is earlier. This was not possible given that the two enclosed submissions were not discovered until sometime after May 6, 2003, the date on which US Patent No. 6,448,955 was issued by the USPTO. In view of this event, the processing fee required by 37 CFR 1.17(i) is enclosed.

(VI) 37 CFR 1.99(f)

A self-addressed postcard requesting the USPTO to acknowledge receipt of the subject submission has also been enclosed with this filing.

The Commissioner is respectfully requested to enter the subject submission into the file history of the subject application.

Respectfully submitted,



Eugene LeDonne
Reg. No. 35,930

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